Opening Statement of the Honorable Fred Upton
Subcommittee on Oversight and Investigations
Hearing on "How Secure are U.S. Bioresearch Labs? Preventing the Next Safety Lapse"
April 20, 2016

(As Prepared for Delivery)

The subcommittee meets again as in previous years about the challenge of improving safety at the federal government's high-containment laboratories. During 2014 and 2015, several lapses in safety at HHS agency and Defense Department labs could have exposed federal personnel and other individuals to hazardous biological agents.

In response to these concerns, there have been executive-branch wide efforts and internal agency efforts to improve lab safety. At the request of the bipartisan leadership of the committee, the nonpartisan GAO will present a new report on oversight at federal high-containment labs. The watchdog has found that much work still needs to be done, and that most of the federal agencies need more comprehensive or up-to-date policies.

However, to really stop this troubling pattern of safety lapses at our bioterrorism labs, changes on paper will not be enough if the agencies are not addressing cultural and behavioral factors. To its credit, the Department of Defense and the Centers for Disease Control and Prevention have conducted internal, soul-searching reviews into the root causes of incidents. These internal investigations revealed various failures at both the systemic and individual level. As noted in CDC Associate Director for Laboratory Science and Safety Dr. Steve Monroe's prepared testimony, these deep and critical internal reviews are essential to reforming lab safety.

With regard to the lapse involving the discovery of the smallpox vials in an FDA lab on the NIH campus, both the NIH and the FDA have yet to conduct the necessary self-examination and introspection to fully understand the weaknesses and failures that led to smallpox being unknowingly stored in an unregistered, and improperly secured conditions. I hope this hearing provides the necessary encouragement for the NIH and the FDA to undertake such reviews. We want NIH, FDA, and all our federal laboratories to be successful in implementing lab safety improvements. These labs conduct vital research that can lead to the development of treatments, diagnostic, and vaccines to address public health needs. This research is also important to our defense efforts against bioterrorism, a serious threat to our troops, our nation, and our allies.

Finally, it is disconcerting that the CDC produced blacked-out documents in response to my confidential request letter on behalf of the committee to obtain key investigative information about improperly stored anthrax at the NIH and the FDA in 2012. There is no legal basis for the CDC to withhold such information from its authorizing committee in Congress. I would urge the CDC to live up to its claims of transparency and accountability, and to work cooperatively with this committee, as has occurred in the past.

One safety lapse is too many, and we have seen a disturbing trend of late that must be fixed. This is not a game of gotcha - we all want our researchers and lab workers to be safe. It is my hope we will not have to keep having this hearing every year and the lapses will come to an end once and for all.

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